PATENT

REMARKS

Claims 1-9, 11-42, 44-77, 79-104, 112, and 120 were pending and stand rejected. Claims 30, 65, 100, 104, 112, and 120 have been amended.

Claims 1, 34, and 69

Claims 1-9, 11-16, 25, 34-42, 44-50, 60, 69-77, 79-85, and 95 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Weaver. Applicant respectfully traverses.

Claim 1, which has not been amended, recites:

A system for editing a project comprising a plurality of media clips, comprising:
an output device for displaying a timeline display, the timeline display comprising:
an overview layer comprising first editable representations of at least a subset of the plurality of media clips that comprise the project, wherein the overview layer is oriented along an axis representing time, and wherein each first editable representation has a dimension along the first axis representing the temporal length of the media clip; and
for each media clip, a track comprising a second editable representation of the media clip, wherein the track is oriented along the axis representing time, and wherein the second editable representation has a dimension along the first axis representing the temporal length of the media clip, and wherein the track and the overview layer are concurrently displayed; and
an input device for receiving user input for editing the representations of the media clips and for controlling the timeline display, wherein editing a representation of a media clip manipulates the media clip.

As recited in claim 1, a "project" comprises a plurality of media clips (¶40). A system for editing the project comprises an output device (for displaying a timeline display) and an input device (for receiving user input). The timeline display (¶¶48-50; see element 403 in FIG. 5) comprises an overview layer (¶48; see element 400 in FIG. 5) and, for each media clip, a track (¶48; see elements 500A, 500B, 500C, 500D in FIG. 5). The overview layer and tracks each comprise an editable representation of a media clip (¶48; see elements 401A, 401B, 401C, 401D in FIG. 5). The overview layer and tracks, which are concurrently displayed, are each oriented along an axis

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representing time. Each editable representation has a dimension along the first axis representing the temporal length of the media clip.

The input device is used to edit a representation of a media clip, and editing a representation of a media clip manipulates the media clip itself (¶48). For example, by manipulating editable representations of clips, a user can organize clips to begin and end on selected frames (¶40). The user can also control clips' durations and perform trim operations to edit the clips (¶40). The user can interact with editable representations of clips to lengthen or shorten clips, move clips around, edit clips, or delete clips (¶47).

Neither Zhao nor Weaver discloses, teaches, or suggests the claimed element "an output device for displaying a timeline display, the timeline display comprising: an overview layer …; and for each media clip, a track … wherein <u>the track and the overview layer are concurrently displayed</u>" (emphasis added).

<u>Zhao</u> – The Examiner argued that Zhao's timeline pane corresponds to the claimed element "overview layer" and that Zhao's layer pane corresponds to the claimed element "track" (Detailed Action, pages 2-3). Assume, *arguendo*, that this is correct. Applicant agrees with the Examiner that Zhao's timeline pane and layer pane <u>are not concurrently displayed</u> (Detailed Action, p. 4). For a detailed explanation, please see Amendment and Response to Office Action A filed July 17, 2007 (p. 27).

It follows that Zhao does not disclose, teach, or suggest the claimed element "an output device for displaying a timeline display, the timeline display comprising: an overview layer …; and for each media clip, a track … wherein the track and the overview layer are concurrently displayed."

Weaver – The Examiner argues that Weaver makes it "obvious" to concurrently display Zhao's timeline pane and layer pane (Detailed Action, p. 4). Specifically, the Examiner argues that Weaver teaches an overview layer that is concurrently displayed with a track (Advisory Action). Applicant disagrees.

Weaver discusses a non-linear editing system (title). A timeline 401 is made up of a sequence of tracks 402, and each track 402 is made up of a sequence of events 403 comprised of video or other source material (¶43; FIG. 4). An event 403 can comprise a sub-timeline, which collapses a series of events 403 into a single container or source, called a "nested source" (¶63). The Examiner argues that Weaver's nested source 506 corresponds to the claimed element "overview layer" and that Weaver's event 502, 503, 504 corresponds to the claimed element "track" (Advisory Action).

Claim 1 states that an overview layer comprises "first editable representations of at least a subset of the plurality of media clips that comprise the project" and that a track comprises "a second editable representation of the media clip." Using the examiner's reasoning, this claim language translates to a nested source (alleged "overview layer") comprising "first editable representations of at least a subset of the plurality of media clips that comprise the project" and an event (alleged "track") comprising "a second editable representation of the media clip."

In Weaver, a nested source (alleged "overview layer") does not comprise "first editable representations of at least a subset of the plurality of media clips that comprise the project." The only thing that a nested source can comprise is events. Weaver's events cannot correspond to the claimed element "first editable representations" because the Examiner argues that events correspond to the claimed language "track." Also in Weaver, an event (alleged "track") does not comprise "a second editable representation of the media clip." The only thing that an event can comprise is a nested source. Weaver's nested source cannot correspond to the claimed element

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"second editable representation" because the Examiner argues that a nested source corresponds to the claimed language "overview layer."

Thus, Weaver does not disclose, teach, or suggest the claimed element "an output device for displaying a timeline display, the timeline display comprising: an overview layer …; and for each media clip, a track." It follows that Weaver also does not disclose, teach, or suggest the claimed element "an output device for displaying a timeline display, the timeline display comprising: an overview layer …; and for each media clip, a track … wherein the track and the overview layer are concurrently displayed" (emphasis added).

Since Weaver does not show the track and overview layer being concurrently displayed, Weaver cannot provide motivation for Zhao's alleged overview layer and track to be concurrently displayed.

Therefore, claim 1 is not obvious over Zhao in view of Weaver. Claims 34 and 69 recite similar language and are therefore also not obvious over Zhao in view of Weaver.

CLAIMS 30, 65, and 100

Claims 30-33, 65-68, and 100-103 were rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Greenfield in view of Foreman. Applicant respectfully traverses in view of the amended claims.

As amended, claim 30 recites:

A system for editing a project comprising a plurality of media clips, comprising an output device for displaying:
> a canvas, comprising a representation of the project, wherein if the project is being played the representation of the project shows the project as the project is playing, and wherein if the project is not being played the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project when the project is playing; and

a timeline display representing a duration of the project, the timeline display comprising, for each currently selected representation of a media clip in the canvas, a timeline representation of the media clip;

wherein the timeline display is activated in response to at least one spatially movable representation being selected, and wherein the timeline display is deactivated in response to no spatially movable representation being selected.

As recited in claim 30, a "project" comprises a plurality of media clips, and a "canvas" comprises a representation of the project (¶40; see element 1601 in FIGS. 16 and 19). If the project is being played, the representation of the project shows the project as the project is playing (¶¶81, 84). If the project is not being played, the representation of the project comprises a plurality of selectable and spatially movable representations of media clips (¶81). A location of a spatially movable representation represents where (in two-dimensional space) the media clip is displayed within the project when the project is playing. For example, the location of the text object "tanzania" in FIG. 16 (shown surrounded by a rectangle with four circles) represents where (in two-dimensional space) the text object media clip is displayed within the project "The Serengeti" when the project is playing.

Neither Greenfield nor Foreman discloses, teaches, or suggests the claimed element "a canvas, comprising a representation of the project, wherein <u>if the project is being played the representation of the project shows the project as the project is playing</u>, and wherein <u>if the project is not being played the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project</u>, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project when the project is playing" (emphasis added).

Greenfield – Greenfield discusses creating, editing, and displaying works that include textual components, such as books, screenplays, and speeches (abstract). Each textual component has a "presentation metric" associated with it, where the presentation metric is the

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time that passes when the component is delivered to the intended audience (abstract). For example, the presentation metric of a screenplay component (e.g., one scene) is defined as the screen time allocated to the component when it is filmed (1:44-47).

In Greenfield's FIG. 1, timeline 101 represents a screenplay, and a component (referred to as an "event") is represented by a bar whose horizontal dimension represents the event's presentation metric (screen time) (4:6-14). The bar can be graphically manipulated based on user input (e.g., resized, moved, deleted, and created) (6:16-20). The Examiner argues that FIG. 1 in Greenfield shows the claimed element "a canvas" (Detailed Action, p. 21).

Claim 30 has been amended to recite "a canvas, comprising a representation of the project, wherein if the project is being played the representation of the project shows the project as the project is playing." Greenfield does not disclose, teach, or suggest playing a project, let alone showing the project as the project is playing.

In Greenfield, each bar can be associated with a content window, which displays the current content of the event to a user and enables the user to create, edit, and modify the event's content (9:5-9). A content window can contain textual, graphical, video, and/or audio content (9:45-47). Note that Greenfield's content window displays the content of one event. Greenfield does not disclose, teach, or suggest playing an entire project and showing the project as the project is playing. For example, Greenfield does not show content from a series events in succession.

Thus, Greenfield does not disclose, teach, or suggest the claimed element "a canvas, comprising a representation of the project, wherein if the project is being played the representation of the project shows the project as the project is playing, and wherein if the project is not being played the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project,

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and wherein a location of a spatially movable representation represents where the media clip is displayed within the project when the project is playing."

Foreman – Foreman does not remedy this deficiency. Foreman discusses a graphical user inter face for a video editing system (title). Foreman's user interface includes four alternatively selectable interfaces (¶8): a first interface for preparing a plan describing a video program to be edited (Storyboard – FIG. 5), a second interface for receiving video information (Bring Video In – FIG. 8), a third interface for editing video information (Edit Movie – FIGS. 9-13), and a fourth interface for outputting video information (Send Movie Out – FIG. 14). The Edit Movie interface has a viewer window 172 that plays back the video program (¶56; FIG. 9). The viewer window 172 has an associated timeline 174 that represents the entire video program and includes buttons 176, 178, 180 for controlling playback of the video program (¶56; FIG. 9).

Foreman does not disclose, teach, or suggest the viewer window 172 comprising a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project. As a result, Foreman's viewer window 172 cannot correspond to the claimed element "a canvas, comprising a representation of the project, wherein if the project is being played the representation of the project shows the project as the project is playing, and wherein if the project is not being played the representation of the project comprises a plurality of selectable and spatially movable representations of the plurality of media clips that comprise the project, and wherein a location of a spatially movable representation represents where the media clip is displayed within the project when the project is playing" (emphasis added).

Therefore, claim 30 (as amended) is not obvious over Greenfield in view of Foreman, alone and in combination. Claims 65 and 100 (as amended) recite similar language and are therefore also not obvious over Greenfield in view of Foreman, alone and in combination.

CLAIMS 104, 112, and 120

Claims 104, 112, and 120 were rejected under 35 U.S.C. § 103(a) as allegedly being

obvious over Zhao in view of Fasciano further in view of Reder. Applicant respectfully traverses

in view of the amended claims.

As amended, claim 104 recites:

In a media editing application, a method of moving a media clip to a destination location,
wherein a second media clip already exists at the destination location, comprising:
        receiving a user command to drag the media clip to the destination location; and
        displaying, in response to receiving the user command and in response to no time period
            having been selected, a drop menu comprising a plurality of commands for
            integrating the dragged media clip at the destination location, wherein the
            plurality of commands includes at least one of a composite command and an
            exchange command;
wherein the composite command composites the dragged media clip with the second media clip
such that both the dragged media clip and the second media clip are played simultaneously; and
wherein the exchange command:
        replaces the entire second media clip with the entire dragged media clip responsive to the
            second media clip having a length equal to the length of the dragged media clip;
        replaces the entire second media clip with a portion of the dragged media clip having a
            length equal to the length of the second media clip responsive to the second media
            clip having a length less than the length of the dragged media clip; and
        replaces a portion of the second media clip having a length equal to the length of the
            dragged media clip with the entire dragged media clip responsive to the second
            media clip having a length greater than the length of the dragged media clip.

As recited in claim 104, "a method of moving a media clip to a destination location"

includes receiving a user command to drag the clip to the destination location. In response to

receiving the user command and in response to no time period having been selected, a drop menu

is displayed. The drop menu comprises a plurality of commands that enables the user to choose

how to integrate the dragged media clip at the destination location. The plurality of commands

can include a composite command (¶59) and an exchange command (¶63). The composite

command composites the dragged media clip with the second media clip such that both the

dragged media clip and the second media clip are played simultaneously (¶59).

The exchange command changes its behavior based on the length of the dragged media clip and the length of the second media clip (¶63). Specifically, if the clips are of equal length, then the exchange command replaces the entire second media clip with the entire dragged media clip. If the dragged media clip is longer than the second media clip, then the exchange command replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip. If the second media clip is longer then the dragged media clip, then the exchange command replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip.

Zhao, Fasciano, and Reder do not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command" wherein "the composite command composites the dragged media clip with the second media clip" and wherein "the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip" (emphasis added).

Zhao, Reder – Applicant agrees with the Examiner that neither Zhao nor Reder discloses, teaches, or suggests the claimed element "displaying, in response to receiving the user command

and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command" (Detailed Action, pp. 15 and 24).

Fasciano – The Examiner argues that Fasciano discloses both a composite command and an exchange command (Detailed Action, p. 25; Advisory Action).

Composite command – The Examiner argues that Fasciano's overwrite placement corresponds to the claimed element "composite command" (Detailed Action, p. 25; Advisory Action). Applicant disagrees.

Claim 104 has been amended to recite "wherein the composite command composites the dragged media clip with the second media clip such that both the dragged media clip and the second media clip are played simultaneously" (emphasis added). Fasciano does not disclose, teach, or suggest playing two clips simultaneously, let alone playing the dragged media clip and the second media clip simultaneously.

Applicant agrees with the Examiner that in Fasciano's overwrite placement, a clip that is dragged into a timeline overwrites the current material (Detailed Action, p. 25). Overwriting is not the same thing as compositing. In Fasciano, since the current material (alleged "second media clip") is overwritten, it is not played simultaneously with the dragged clip.

The Examiner cites Fasciano at FIG. 10A, where a clip distinguished by stripes is dragged into a timeline and affects a clip distinguished by dots (Advisory Action). The Examiner argues that this portion of Fasciano shows compositing the dragged media clip (stripes) with the second media clip (dots) (Advisory Action). Applicant disagrees. FIG. 10A shows that only one

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clip is played at a time – either the striped clip or the dotted clip. The striped clip and the dotted clip are not played simultaneously.

Thus, Fasciano's overwrite placement cannot correspond to the claimed element "composite command."

Exchange command – The Examiner also argues that Fasciano's "replace command" corresponds to the claimed element "exchange command" (Detailed Action, p. 25; Advisory Action). Applicant disagrees.

Since Fasciano does not discuss a "replace command," Applicant assumes that the Examiner is referring to Fasciano's "replace placement mode." In Fasciano, different commands are accessible depending on the placement mode (button 124 in FIG. 3). When the placement mode is "replace," the accessible commands are fill replace, track insert replace, clip insert replace, loop replace, and loop inverse replace (6:45-49; FIGS. 10D-10H).

FIGS. 10G and 10H show the situation where the second media clip has a length greater than the length of the dragged media clip. Claim 104 recites "wherein the exchange command: … replaces a portion of the second media clip [which already exists at the destination location] having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip." According to claim 104, the effect of dragging the clip into the timeline should be to replace only a portion of the second media clip, where the portion has a length equal to the length of the dragged media clip. Instead, in FIGS. 10G and 10H, the effect of dragging the clip into the timeline is to replace the entire second clip with multiple copies of the dragged clip.

Thus, Fasciano's replace placement mode cannot correspond to the claimed element "exchange command."

Thus, Fasciano does not disclose, teach, or suggest the claimed element "displaying, in response to receiving the user command and in response to no time period having been selected, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location, wherein the plurality of commands includes at least one of a composite command and an exchange command" wherein "the composite command composites the dragged media clip with the second media clip" and wherein "the exchange command: replaces the entire second media clip with the entire dragged media clip responsive to the second media clip having a length equal to the length of the dragged media clip; replaces the entire second media clip with a portion of the dragged media clip having a length equal to the length of the second media clip responsive to the second media clip having a length less than the length of the dragged media clip; and replaces a portion of the second media clip having a length equal to the length of the dragged media clip with the entire dragged media clip responsive to the second media clip having a length greater than the length of the dragged media clip" (emphasis added).

Therefore, claim 104 (as amended) is patentable over Zhao, Fasciano, and Reder, alone and in combination. Claims 112 and 120 (as amended) recite similar language and are therefore also patentable over Zhao, Fasciano, and Reder, alone and in combination.

OTHER CLAIMS

Claims 17-24, 51-59, 86-94 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Zhao in view of Weaver further in view of Fasciano. Claims 26-29, 61-64, and 96-99 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over Zhao in view of Weaver further in view of Foreman.

Applicant respectfully traverses. In addition, Applicant traverses the Examiner's assertions regarding the disclosures of Zhao, Weaver, Fasciano, and Foreman and the motivation to combine Zhao, Weaver, and Fasciano; and Zhao, Weaver, and Foreman.

The claims not specifically mentioned above depend from their respective base claims, which were shown to be patentable over Zhao in view of Weaver, Greenfield in view of Foreman, and Zhao in view of Fasciano further in view of Reder. In addition, these claims recite other features not included in their respective base claims. Thus, these claims are patentable for at least the reasons discussed above, as well as for the elements that they individually recite.

Applicant respectfully submits that the pending claims are allowable over the cited art of record and requests that the Examiner allow this case. The Examiner is invited to contact the undersigned in order to advance the prosecution of this application.

Respectfully submitted,
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